

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 72808

Timothy R. Hanrahan Sr.
Dawn M. Hanrahan

423 5th Avenue

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on July 27, 2010 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310, 312, failure to remove all junk, trash and debris from residential property zoned DR 5.5 known as 423 5th Avenue, 21227.

On May 19, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Charles Krick issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: Timothy R. Hanrahan Sr., Dawn M. Hanrahan, Respondents and Charles Krick, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on January 21, 2010 for removal of untagged/inoperative motor vehicles, remove open dump/junk yard, remove trash and debris, store garbage in cans with tight lids. This Citation was issued on May 19, 2010.

B. Inspector Charles Krick testified that his initial inspections found large quantities of junk, trash and debris on the property, in the front and in the back yards. He extended time for compliance because progress was being made in cleaning up the property. Re-inspection prior to this Hearing found some junk and debris still on the property. Photographs in the file show household items piled and scattered in the yard, open buckets, barrels, and junk and trash. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310. Junk and household items cannot be stored outside, and all garbage must be kept in waterproof cans with tight lids.

C. Respondents testified that they are cleaning up the property. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if the remaining violations are corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$400.00 (four hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violations are corrected by August 18, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 29th day of July 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.